

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES, *et al.*,

Defendants.

Civil Action No. 6:23-cv-00013

JOINT MOTION TO ENTER PROPOSED BRIEFING SCHEDULE

The parties respectfully request that the Court enter a stipulated schedule for briefing dispositive cross-motions. A proposed order will be submitted separately.

Plaintiffs commenced this action on February 9, 2023, *see* ECF No. 1, challenging the Bureau of Alcohol, Tobacco, Firearms and Explosives' *Factoring Criteria for Firearms With Attached "Stabilizing Braces,"* 88 Fed. Reg. 6,478 (Jan. 31, 2023). A month later, plaintiffs moved for a preliminary injunction, *see* ECF No. 16, which the Court granted in part and denied in part on October 27, *see* ECF No. 80.

The parties have since conferred about next steps in this matter and have agreed to request that the Court adopt the following deadlines for briefing dispositive cross-motions:

- On or before December 1, 2023, plaintiffs will file a motion for summary judgment;
- On or before January 12, 2024, defendants will file a combined opposition to plaintiffs' motion and cross-motion to dismiss and for summary judgment;
- On or before February 12, 2024, plaintiffs will file a combined reply in support of their motion and opposition to defendants' motion;
- On or before March 4, 2024, defendants will file a reply in support of their motion.

Furthermore, because their motions will present numerous complex issues, the parties believe that additional words in excess of the limits imposed under this Court's rules will be necessary to enable each side to fully develop and present their respective arguments for the Court. The parties therefore respectfully request that the Court allow plaintiffs up to 15,000 words for their opening brief and 10,000 words for their second brief, and allow defendants up to 20,000 words for their opening brief and 5,000 words for their second brief.

The parties appreciate the Court's consideration and respectfully request entry of their proposed order.

Dated: November 10, 2023

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Respectfully submitted,

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CERTIFICATE OF SERVICE

On November 10, 2023, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Southern District of Texas, using the Court's electronic case filing system. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

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